

SF-83 SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY
40 CFR PART 60 SUBPART Y - STANDARDS OF PERFORMANCE FOR COAL
PREPARATION PLANTS

1. Identification of the Information Collection

1(a) Title of the Information Collection

NSPS Subpart Y, Standards of Performance for Coal Preparation Plants.

1(b) Short Characterization/Abstract

The New Source Performance Standards (NSPS) for the regulations published at 40 CFR Part 60, Subpart Y were proposed on October 24, 1974 and promulgated on January 15, 1976. These regulations apply to the following facilities in 40 CFR Part 60, Subpart Y which process more than 200 tons of coal per day: thermal dryers, pneumatic coal cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, and coal transfer and loading systems commencing construction, modification or reconstruction after the date of proposal. This information is being collected to assure compliance with 40 CFR Part 60, Subpart Y.

In general, all NSPS standards require initial notifications, performance tests, periodic and semiannual reports. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all sources subject to NSPS.

Any owner or operator subject to the provisions of this part shall maintain a file of these measurements, and retain the file for at least two years following the date of such measurements, maintenance reports, and records. All reports are sent to the delegated State or local authority. In the event that there is no such delegated authority, the reports are sent directly to the United States Environmental Protection Agency (EPA) Regional Office.

A number of sources were used to determine the size and growth rate of the regulated universe subject to NSPS Subpart Y. For the coal preparation plants located at mine sites and electric utilities EPA's Office of Air Quality Planning and Standards, Department of Energy's Energy Information Agency, the Edison Electric Institute, and the National Mining Association were consulted and provided data. For the coal preparation plants located at other industrial sites it was assumed these would be associated with large coal-fired industrial boilers. Facilities that have large industrial boilers are subject to NSPS Subpart Db, and the universe of NSPS Subpart Db boilers that are coal-fired was extrapolated from the NSPS Subpart Db universe of facilities for this ICR. Only the larger coal-fired utilities (greater than 100 Mega-Watts) were considered to process more than 200 tons of coal per day, and EPA estimates that about 18 percent of the

NSPS Subpart Db universe burns coal ($1,185 \times 0.18 = 213$).

So the breakdown of NSPS Subpart Y facilities is the sum of coal preparation plants associated with coal mining, electric utilities and large industrial boilers:

385	Coal preparation plants associated with mines
18	Coal preparation plants associated with large electric utilities
213	Coal preparation plants associated with large industrial boilers

616	Total coal preparation plants subject to NSPS Subpart Y

Therefore, approximately 616 sources are currently subject to the regulation, and it is estimated from consultation that no new sources will become subject to the regulation in the next three years. It is further assumed that there is an average of two affected facilities per plant. However, facilities will report pertinent information about affected facilities at one time so for the purposes of this ICR the respondent will be one per facility.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 111 of the Clean Air Act (CAA), as amended, to establish standards of performance for new stationary sources that reflect:

... application of the best technological system of continuous emissions reduction which (taking into consideration the cost of achieving such emissions reduction, or any non-air quality health and environmental impact and energy requirements) the Administrator determines has been adequately demonstrated.
Section 111(a)(1).

The Agency refers to this charge as selecting the best demonstrated technology (BDT). Section 111 also requires that the Administrator review and, if appropriate, revise such standards every four years. In addition, Section 114(a) states that the Administrator may require any owner or operator subject to any requirement of this Act to:

(A) Establish and maintain such records; (B) make such reports; (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control

equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require.

In the Administrator's judgment, particulate emissions from thermal dryers, pneumatic coal cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, and coal transfer and loading systems cause or contribute to air pollution that may reasonably be anticipated to endanger public health or welfare. Therefore, the NSPS were promulgated for this source category at 40 CFR Part 60, Subpart Y.

2(b) Practical Utility/Users of the Data

The control of emissions of particulate matter from thermal dryers, pneumatic coal cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, and coal transfer and loading systems requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of particulate matter from thermal dryers, pneumatic coal cleaning equipment (air tables), coal processing and conveying equipment (including breakers and crushers), coal storage systems, and coal transfer and loading systems are the result of operation of the affected facilities. The subject standards are achieved by the capture and/or reduction of particulate matter emissions using dry inertial collectors (cyclones), filters, and wet scrubbers. The notifications required in the applicable regulations are used to inform the Agency or delegated authority when a source becomes subject to the requirements of the regulations. The reviewing authority may then inspect the source to check if the cyclones, filters and wet scrubbers are properly installed and operated and the regulations are being met. Performance test reports are needed as these are the Agency's record of a source's initial capability to comply with the emission standards, and serve as a record of the operating conditions (proper temperature at thermal dryer exhaust vent and maintenance of pressure across the wet scrubber) under which compliance was achieved. The semiannual reports are used for problem identification, as a check of source operation and maintenance, and for compliance determinations. The information generated by the monitoring, recordkeeping and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NSPS continue to operate the control equipment and achieve compliance with the regulation. Adequate monitoring, recordkeeping, and reporting is necessary to ensure compliance with the applicable regulations, as required by the Clean Air Act. The information collected from recordkeeping and reporting requirements is also used for targeting inspections, and is of sufficient quality to be used as evidence in court.

3. Nonduplication, Consultations, and Other Collection Criteria

The requested recordkeeping and reporting are required under 40 CFR Part 60, Subpart Y.

3(a) Nonduplication

If the subject standards have not been delegated, the information is sent directly to the appropriate EPA Regional Office. Otherwise, the information is sent directly to the delegated State or local agency. If a State or local agency has adopted their own similar standards to implement the Federal standards, a copy of the report submitted to the State or local agency can be sent to the Administrator in lieu of the report required by the Federal standards. Therefore, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register on December 9, 2002. No comments were received on the burden published in the Federal Register.

3(c) Consultations

To determine the current number of facilities and the industry growth rate for facilities subject to NSPS Subpart Y EPA's Office of Air Quality Planning and Standards, Department of Energy's Energy Information Agency, and the Edison Electric Institute were consulted.

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the likelihood of detecting poor operation and maintenance of control equipment and noncompliance would decrease.

3(e) General Guidelines

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB at 5 CFR 1320.5.

3(f) Confidentiality

The required information has been determined not to be confidential. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B -

Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents to the recordkeeping and reporting requirements are coal preparation plants. The SIC codes (and associated North American Industry Classification System (NAICS) codes) for possible respondents affected by the standards are listed in the table below.

Regulation	SIC Codes	NAICS Codes
40 CFR Part 60, Subpart Y	1221	212111
	2819	325998
	2951	324121
	2999	324191
	4911	221112
	2611	32211

4(b) Information Requested

(i) Data Items

All data in this ICR that is recorded and/or reported is required by 40 CFR Part 60, Subpart Y.

A source must make the following reports:

Reports for 40 CFR Part 60, Subpart Y	
Construction/reconstruction	60.7(a)(1)
Anticipated startup	60.7(a)(2)

Reports for 40 CFR Part 60, Subpart Y	
Actual startup	60.7(a)(3)
Initial performance test results	60.8 (a)
Initial performance test	60.8(d)
Demonstration of continuous monitoring system	60.7(a)(5)
Physical or operational change	60.7(a)(4)
Excess emissions	60.7(c)

A source must maintain the following records:

Recordkeeping for 40 CFR Part 60, Subpart Y	
Startups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative.	60.7(b)
Records are required to be retained at the facility for 2 Years.	60.7(f)

(ii) Respondent Activities

Respondent Activities
Read instructions.
Install, calibrate, maintain, and operate CMS for opacity, or for pressure drop and liquid supply pressure for wet scrubber.
Perform initial performance test, Reference Method 5 for particulate matter and Reference Method 9 for opacity, and repeat performance tests if necessary.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.

Respondent Activities
Adjust the existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

This information collection does not use any automated, mechanical or other technical collection techniques.

5. The Information Collected: Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

Agency Activities
Observe initial performance tests and repeat performance tests if necessary.
Review notifications and reports, including performance test reports, and excess emissions reports, required to be submitted by industry.
Audit facility records.
Input, analyze, and maintain data in the AIRS (Aerometric Information Retrieval System) Facility Subsystem (AFS) database.

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority might inspect the source to determine whether the pollution control devices are properly installed and operated. Performance test reports are used by the Agency to discern a source's initial capability to comply with the emission standard. This information will be used to monitor the temperature of the gas stream, or when the wet scrubbers are used, the pressure loss through the scrubber thus ensuring continuous compliance with the standards. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The periodic reports are used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into AFS which is operated and maintained

by EPA's Office of Compliance. AFS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for over 100,000 industrial and government-owned facilities. EPA uses AFS for tracking air pollution compliance and enforcement by local and State regulatory agencies, EPA Regional Offices and EPA Headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner or operator for two years.

5(c) Small Entity Flexibility

There is a distribution of business sizes for the businesses that have coal preparation plants. A majority of the affected facilities are large entities (e.g., large businesses). However, the impact on small entities (i.e., small businesses) was taken into consideration during the development of the regulation. Due to technical considerations involving the process operations and the types of control equipment employed, the recordkeeping and reporting requirements are the same for both small and large entities. The Agency considers these requirements the minimum needed to ensure compliance and, therefore, cannot reduce them further for small entities. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Table 1: Annual Burden of Recordkeeping and Reporting Requirements as a result of the Standards for Coal Preparation Plants/ NSPS Subpart Y.

6. Estimating the Burden and Cost of the Collection

Table 1 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the Subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory.

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated to be 17,162 hours (Total Labor Hours from Table 1). These hours are based on Agency studies and background documents from the development of the

regulation, Agency knowledge and experience with the NSPS program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses a Technical Labor Rate of \$57.12 per hour. This rate is from the United States Department of Labor, Bureau of Labor Statistics, March 2001, "Table 10. Private industry, by occupational and industry group." The rates are from column 1, "Total compensation." The wage rate have been increase by 110% to account for the benefit packages available to those employed by private industry.

(ii) Estimating Capital/Startup and Operation and Maintenance Costs

The type of industry costs associated with the information collection activity in the regulations are for labor and continuous emission monitoring of wet scrubbers at affected facilities. The capital/startup costs are one time costs when a facility becomes subject to the regulation. The annual operation and maintenance costs are the ongoing costs to maintain the monitor and other costs such as photocopying and postage.

(iii) Capital/Startup vs. Operation and Maintenance (O&M) Costs

Capital/Startup vs. Operation and Maintenance (O&M) Costs						
(A) Continuous Monitoring Device	(B) Startup Cost for One Affected Facility	(C) Number of New Affected Facilities to Startup	(D) Total Startup (B X C)	(E) Annual O&M Costs for One Affected Facility	(F) Number of Affected Facilities with O&M	(G) Total O&M (E X F)
Wet Scrubber	\$760	0	\$0	\$350	62	\$21,700

The total capital/startup costs for this ICR is zero dollars. This is the total of column D in the above table. These costs are shown in block 14(a), Total annualized capital/startup costs, on the OMB 83-I form. It should be noted that the numbers in block 14 of the OMB 83-I form are rounded to show the cost in thousands of dollars.

The total operation and maintenance (O&M) costs for this ICR are \$21,700. This is the total of column G. These costs are shown in block 14(b), Total annual costs (O&M), on the OMB 83-I form.

The total respondent non-labor costs in block 14 have been calculated as the addition of the

capital/startup costs, and the annual operation and maintenance costs. The average annual cost for capital/startup and operation and maintenance costs to industry over the next three years of the ICR is estimated to be \$21,700 . This cost is shown on the OMB 83-I form in block 14 (c), Total annualized cost requested. The numbers in block 14 of the OMB 83-I form are rounded to show the cost in thousands of dollars.

6(c) Estimating Agency Burden and Cost

The only costs to the Agency are those costs associated with analysis of the reported information. Publication and distribution of the information are part of the AFS program. Examination of records to be maintained by the respondents will occur as part of the periodic inspection of sources, which is part of EPA's overall compliance and enforcement program.

The average annual Agency cost during the three years of the ICR is estimated to be \$37,994 [see Table 2 in Section 6(e)]. This cost is based on the average hourly labor rate at a GS-12, Step 1, times a 1.6 benefits multiplication factor to account for government overhead expenses for a total of \$38.30. These rates are from the Office of Planning and Management (OPM) "2002 General Schedule" which excludes locality rates of pay. Details upon which this estimate is based appear in Table 2: Annual Burden of Recordkeeping and Reporting Requirements as a Result of the Standards for Coal Preparation Plants/ NSPS Subpart Y, below.

6(d) Estimating the Respondent Universe and Total Burden and Costs

Approximately 616 sources are currently subject to the regulation, and it is estimated that an additional no sources per year will become subject to the regulation in the next three years.

Respondent Universe and Number of Responses Per Year						
Regulation Citation	(A) Average Number of New Respondents per Year	(B) Number of Reports for New Sources	(C) Number of Existing Respondents	(D) Number of Reports for Existing Sources	(F) Number of Respondents that keep records but do not submit reports	(E) Total Annual Responses = (AxB)+(Cx D)+ F
40 CFR Part 60, Subpart Y	0	2	616	2	0	1,232

The number of total respondents is 1,232. This number is the sum of column A and column C of the Respondent Universe and Number of Responses Per Year table. This represents the number of existing sources plus the number of new sources averaged over the three-year period (i.e., the total of the number of new respondents over the three year period divided by three years). It is shown in block 13 (a), Number of respondents, on the OMB 83-I form.

The number of Total Annual Responses is 1,232. This is the number in column E of the

Respondent Universe and Number of Responses Per Year table. It is shown in block 13 (b), Total annual responses, on the OMB 83-I form.

The total annual labor costs are \$980,293. This number is not shown on the OMB 83-I form. Details upon which this estimate is based appear in Table 1: Annual Respondent Burden and Cost 40 CFR Part 60, Subpart Y.

The total annual capital and O&M costs to the regulated entity are \$21,700. This number is shown on the OMB 83-I form in block 14 (c), Total annualized cost requested. These costs are detailed in section 6(b)(iii), Capital/Startup vs. Operating and Maintenance (O&M) Costs.

6(e) Bottom Line Burden Hours Burden Hours And Cost Tables

The bottom line burden hours and cost tables for both the Agency and the respondents appear below. The annual public reporting and recordkeeping burden for this collection of information is estimated to average 13.9 hours per response.

6(f) Reasons for Change in Burden

The increase in burden from the most recently approved ICR is due to an increase in the size of the regulated universe.

6(g) Burden Statement

The annual public reporting and recordkeeping burden for this collection of information is estimated to average 13.9 hours per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information.

To comment on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including the use of automated collection techniques, EPA has established a public docket for this ICR under Docket ID Number OECA-2003-0004, which is available for public viewing at the Enforcement and Compliance Docket and Information Center in the EPA Docket Center (EPA/DC), EPA West, Room B102, 1301 Constitution Ave., N.W., Washington, D.C. The EPA Docket Center Public Reading Room is open from 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Reading Room is (202) 566-1744, and the telephone number for the Enforcement and Compliance Docket and Information Center is (202) 566-1514.

An electronic version of the public docket is available through EPA Dockets (EDOCKET) at <http://www.epa.gov/edocket>. Use EDOCKET to submit or view public comments, access the index listing of the contents of the public docket, and to access those documents in the public docket that are available electronically. Once in the system, select “search,” then key in the Docket ID Number identified above. Also, you can send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Washington, D.C. 20503, Attention: Desk Office for EPA. Please include the EPA Docket ID Number OECA-2003-0004 and OMB Control Number 2060-0122 in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.

Appendix A

Table 1: ANNUAL BURDEN OF RECORDKEEPING AND REPORTING REQUIREMENTS AS A RESULT OF THE STANDARDS FOR COAL PREPARATION PLANTS/ NSPS SUBPART Y.

Requirements	Hours/ Occurr. (A)	Occurrences / Respondent/ Year (B)	Hours/ Respondent/ Year (C=AxB)	Respondents / Year (D)	Hours/ Year (E=CxD)	Cost/ Year (\$) ^a (F)
1. Applications	NA					
2. Survey and Studies	NA					
3. Reporting Requirements						
A. <u>Read Instructions</u>	1.5	1	1.5	0	0	0
B. <u>Required Activities</u>						
Initial performance test	330	1	330	0	0	0
Reference Method 9 tests	4	1	4	0	0	0
Repeat of performance test	330	0.2	66	0	0	0
C. <u>Create Information</u>	Included in 3B.					
D. <u>Gather Existing Information</u>	Included in 3E.					
E. <u>Write Report</u>						
Notification of construction/ reconstruction	3	1	3	0	0	0
Notification of physical/ operational changes	12	1	12	0	0	0

^a Assumes an hourly wage of \$57.12. This amount was multiplied by the hours in column E.

Table 1: ANNUAL BURDEN OF RECORDKEEPING AND REPORTING REQUIREMENTS AS A RESULT OF THE STANDARDS FOR COAL PREPARATION PLANTS/ NSPS SUBPART Y. (Continued)

Requirements	Hours/ Occurr. (A)	Occurrences/ Respondent/ Year (B)	Hours/ Respondent/ Year (C=AxB)	Respondents / Year (D)	Hours/ Year (E=CxD)	Cost/ Year (\$) ^a (F)
Notification of actual start-up	3	1	3	0	0	0
Notification of initial performance test	3	1	3	0	0	0
Report of performance test	Included in 3B.					
Excess emissions report ^c	8	2	16	62	992	\$56,663
4. Recordkeeping Requirements						
A. <u>Read Instructions</u>	Included in 3A.					
B. <u>Plan Activities</u>	Included in 4C.					
C. <u>Implement Activities</u>	Included in 3B.					
D. <u>Develop Record System</u>	NA					
E. <u>Time to Enter Information</u>						
Records of operating parameters ^b	0.05	525	26.25	616	16,170	\$923,630
F. <u>Train personnel</u>	NA					
G. <u>Audits</u>	NA					
TOTAL ANNUAL BURDEN					17,162	\$980,293

- a Assumes an hourly wage of \$57.12. This amount was multiplied by the hours in column E.
- b Assumes operation 350 days per year.
- c. Assume 10% of facilities have CEM.

Table 2: AVERAGE ANNUAL RESOURCE REQUIREMENT FOR MONITORING COAL PREPARATIONS PLANTS/ NSPS SUBPART Y.

Requirements	EPA Hours/ Occurrence (A)	Occurrences/ Plant/ Year (B)	EPA Hours/ Plant/ Year (C) ^a	Plants/ Year (D)	EPA Hours/ Year (E) ^b
<u>Initial Performance Test</u> New Plant	24	2	48	0	0
<u>Repeat Performance Test</u> New Plant	24	0.4	9.6	0	0
<u>Report Review</u> New Plant					
Notification of Construction	2	1.5	3	0	0
Notification of Actual Start-up	2	1.5	3	0	0
Notification of Initial Test	2	1.8	3.6	0	0
Review Test Results	8	1.8	14.4	0	0
Review excess emissions report	8	2	16	62	992
TOTAL ANNUAL HOURS					992

Travel Expenses: (1 person x 0 plants/yr x 0.5 days/plant x \$75 per diem) + (\$250 round trip/plant x 5 plants/yr) = \$0/yr.

Salary: (1 person x 992 hour/yr x \$38.30 = \$37,994

TOTAL ANNUAL COST = \$37,994

a A x B = C

b C x D = E